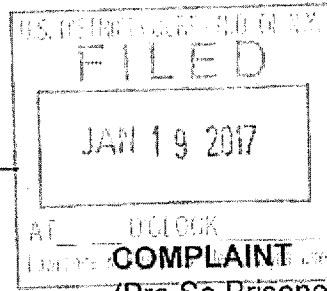


UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK



Tony Jennings

Plaintiff(s).

v.

Jeremy Decker
Darren Ettinger

Defendant(s).

Syracuse Police Department

(Pro Se Prisoner)

Case No. 5:17-cv-54
(Assigned by Clerk's
Office upon filing)

Jury Demand

- ☒ Yes
☐ No

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's social security number, taxpayer identification number, or birth date; the name of a person known to be a minor; or a financial account number. A filing may include *only*: the last four digits of a social security number or taxpayer-identification number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Fed. R. Civ. P. 5.2.

I. LEGAL BASIS FOR COMPLAINT

This is a civil action seeking relief and/or damages to defend and protect the rights guaranteed by the Constitution and laws of the United States. Indicate below the federal basis for your claims.

- ☒ 42 U.S.C. § 1983 (state, county, or municipal defendants)
☐ *Bivens v. Six Unknown Federal Narcotics Agents*, 403 U.S. 388 (1971) (federal defendants)
☐ Other (please specify) _____

II. PLAINTIFF(S) INFORMATION

Name: Tony Jennings
 Prisoner ID #: # 98003452
 Place of detention: Onondaga County Justice Center
 Address: 555 South State Street
Syracuse New York 13202 - 2104

Indicate your confinement status when the alleged wrongdoing occurred:

- ☐ Pretrial detainee
☒ Civilly committed detainee
☐ Convicted and sentenced state prisoner
☐ Convicted and sentenced federal prisoner
☐ Immigration detainee

Provide any other names by which you are or have been known and any other identification numbers associated with prior periods of incarceration:

Tony W. Jennings 98003452 / 03-B-1512 / 07-B-195

If there are additional plaintiffs, each person must provide all of the information requested in this section and must sign the complaint; additional sheets of paper may be used and attached to this complaint.

III. DEFENDANT(S) INFORMATION

Defendant No. 1:

Jeremy Decker, Decker Jeremy
 Name (Last, First)

Syracuse police officer
 Job Title

Syracuse police Department 511 south
 Work Address

State Street Syracuse New York 13202
 City State Zip Code

Defendant No. 2:

ETTINGER DARREN
 Name (Last, First)

Syracuse police officer
 Job Title

Syracuse police Department 511 south state
Work Address

Street Syracuse New York 13202
City State Zip Code

Defendant No. 3:

Super Vising Senior Officer Doe
Name (Last, First)

Syracuse police officer Sergeant
Job Title

Syracuse police Department 511 south state
Work Address

Street Syracuse New York 13202
City State Zip Code

Defendant No. 4:

Syracuse police Department
Name (Last, First)

Syracuse police Department
Job Title

511 south state Street
Work Address

Syracuse New York 13202
City State Zip Code

If there are additional defendants, the information requested in this section must be provided for each person; additional sheets of paper may be used and attached to this complaint.

IV. STATEMENT OF FACTS

State briefly and concisely the facts supporting your claims. Describe the events in the order they happened. Your statement of facts should include the following:

- The date(s) on which the events occurred
- Where these events took place (identify the facility and, if relevant, the specific location in the facility)

- How each defendant was involved in the conduct you are complaining about

If you were physically injured by the alleged misconduct, describe the nature of your injuries and the medical evaluation and treatment you were provided. You need not cite to case law or statutes or provide legal argument in the Statement of Facts. Use additional sheets of paper if necessary.

Swelling Around Right Eye. pictures
were taken by Syracuse Police
Sergeant. Supervisor of Officer
Jeremy Necker and Darren Ettinger.
I was provided Medical Treatment at
The Onondaga County Justice Center.
That consisted of Medical Intake
Questions upon Admission into The
County Jail Then was Given Non Aspirin.

V. STATEMENT OF CLAIM(S)

State briefly and concisely the constitutional and/or statutory basis for each claim you seek to assert and identify the defendant(s) against whom each claim is

asserted. Commonly asserted claims include: excessive force; failure to protect; deliberate indifference to medical needs; unconstitutional conditions of confinement; denial of due process in a disciplinary or other proceeding; denial of equal protection; retaliation for the exercise of a First Amendment right; and interference with free exercise of religion. Legal argument and case citations are not required. Use additional sheets of paper if necessary.

FIRST CLAIM

"Excessive Force" - Being Slammed To
The Concrete By Jeremy Decker, Then
Being Struck In The Face With A Close
Fist By Darren Etringer.

SECOND CLAIM

"Illegal search & Seizure" - No legal
Basis Nor probable Cause To Justify
The Arrest, Search and Seizure Conducted
By Jeremy Decker and Darren Etringer.

THIRD CLAIM

Racial profiling / False Report
Jeremy Decker and Darren Etringer
Targeting Inner city minority's, and Substantiated
ing criminal charges as such.

VI. RELIEF REQUESTED

State briefly what relief you are seeking in this case.

Compensation, \$ 225,000.00

Reprimands / Retraining of Defendants

I declare under penalty of perjury that the foregoing is true and correct.

Dated: January 11, 2017

Tony Jennings

Plaintiff's signature

(All plaintiffs must sign the complaint)

On January 5, 2016 AT Approximately 6:43 pm. 2 police officers of The Syracuse police Dept Crime Reduction Team Unit Darren Estlinger and Jeremy Decker Driving A Marked police Vehicle in "plain clothing" pulled into Raddis on Court in Syracuse housing projects, where I The plaintiff/Defendant was inside of my car, parked InBetween Two other Vehicles. The officer's pulled Their patrol Vehicle Directly Behind my car which boxed me in completely, causing me to feel seized and detained and not free to be able to exercise my right to be left alone, or refuse to partake in the officers inquiry by slowly driving away from them.

The arresting officer's never explained to me the purpose for the stop of my vehicle or the reason for blocking my car InBetween 2 Vehicles. After providing the officer's with my Drivers licence and Vehicle Registration, Along with my Insurance Card showing the officer's that All of my paperwork was indeed valid and that I had done nothing wrong to warrant such a seizure or the harassment from both arresting officers.

The intrusion from the officers flashlights illuminating

ing, Shinning All Around The Interior of my car Furthered The Violation.

Officer's still proceeded To Violate my Rights By pulling me from my car and Conducting A Fullscale Search of My person. I was never Read my Rights or Told / Inform- ed That I was under Arrest, All while Officer Decker proceeded Searching Inside of my Coat pockets and pants pockets. Then went as far as placing his hand Inside of my pants in the Rear Along my Buttocks. I Ask The officer to stop and told him That his Search was unlawful and unnecessary. Repeatedly. I Turned Around To Get The officer To Take his hand from Inside of my pants, and Telling him The Violation. I felt from his contact but was slammed To The Ground Causing me To Bang my head on The Ice in The parking- Lot.

AT This Time officer Darren Ettinger Comes from The passenger side of my vehicle To my Driver side, Kneels Down Then punches me in The Face.

I Have been Aggrieved By This Unlawful Search And Seizure Which Violates My Constitutional Rights.

I Have Been Informed By my Criminal Defense Attorney That The Search and Seizure of my person and Vehicle And other Articles was unlawful and in Derogation of my Constitutional Rights under The United States Constitution and Laws of This State.